

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA,

Plaintiff,

v.

ASHU JOSHI

Defendant.

4:18-cr-00876-JAR-NCC

**MOTION TO EXPEDITE THE PREPARATION OF THE PRESENTENCE
REPORT AND TO RESET THE COMBINED PLEA/SENTENCING DATE**

Comes now M.D., by and through counsel, and hereby moves this Court to request that the Probation Office expedite, to the extent possible, the preparation of the presentence report and further requests this Court reset the currently scheduled combined plea/sentencing to an earlier date. In support thereof, M.D. states as follows:

1. Defendant is the biological and legal father of A.J. (Defendant's and M.D.'s child).
2. A.J. was born on 04-xx-2019 and is 16 months old.
3. Paternity was subsequently established in the State of Kentucky, establishing a legal obligation for the Defendant to support his child in accordance with the Order and laws from the State of Kentucky.

4. When Defendant was taken into custody for violating the terms of his pretrial release, Defendant ceased paying child support. Defendant has not paid child support since March of 2020.
5. It is undersigned counsel's understanding that there is a signed 11(c)(1)(c) in this case and the parties are awaiting the preparation of the PSR.
6. M.D. understands that Covid19 has created new obstacles and understands that some delay is unavoidable.
7. Currently, this matter is set on September 16, 2020 for a combined Plea and Sentence. It was reset from its June 8, 2020 trial date.
8. M.D. respectfully requests that this Court ask that the PSR be expedited, to whatever extent that is possible.
9. M.D. further requests that the Plea/Sentencing in this case be reset on an earlier date once the PSR has been completed.
10. M.D. asks this Court to consider that she is supporting the Defendant's 16-month old child, in a pandemic, at 18 years of age. ***Another 90 days is not "just another 90 days."***
11. M.D. respectfully requests this Court ask that the preparation of the PSR be expedited (again, to whatever extent possible) and to reset the Plea/Sentencing to an earlier date as soon as possible.
12. Defendant objects to M.D.'s request to set the Plea/Sentencing to a sooner date.

WHEREFORE, while M.D. recognizes the unique difficulties created by Covid19, M.D. respectfully asks this Court to consider M.D.'s rights under 18 U.S.C. Section 3771 and the cessation of the Defendant's support of his child, along with the rights of the Defendant, and ask that the PSR be expedited and the Plea/Sentencing be reset to as soon a date as possible under the circumstances.

Respectfully submitted,

MUHLENKAMP & BERNSEN,
ATTORNEYS AT LAW, LLC

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above document was electronically filed on June 16, 2020 and served via the electronic filing system to all attorneys of record.

Tory D. Bernsen